

REMARKS

Claims 3-6 and 11-16 have been examined. Claims 3 and 5 have been rejected under 35 U.S.C. § 102(b), and claims 4, 6 and 11-16 have been rejected under 35 U.S.C. § 103(a).

I. Rejections under 35 U.S.C. § 102(b)

The Examiner has rejected claims 3 and 5 under 35 U.S.C. § 102(b) as allegedly being anticipated by EP 09/24702 to Morita et al. ("Morita").

A. Claim 3

Applicant submits that claim 3 is patentable over the cited reference. For example, claim 3 recites that the spring arm of the spring member in the shutting direction side is longer than the spring arm in the opening direction side so that the two adjoining coils of the spring member remain in a horizontal position when the spring member is engaged with the slide door.

As an initial matter, the Applicant notes that the spring arm length comparison feature of claim 3 was originally recited in claims 15 and 16, respectfully. Accordingly, the following remarks are in response to the Examiner's rejection of claims 15 and 16 under 35 U.S.C. § 103(a) in view of Morita and Miyazaki.

In regard to the claimed spring arm length comparison, the Examiner acknowledges that the cited references do not disclose the claimed feature, but contends that the length comparison is a matter of design choice. As set forth, however, in the non-limiting embodiment on page 15 of the present Application, and recited in claim 3, the lengths of the spring arms allow the

adjoining coils to remain in a horizontal condition when the spring is engaged with the cartridge and the sliding door. Therefore, Applicant submits that the length comparison performs a specific purpose and is *not* merely a matter of design choice.

The above features were discussed during the February 7, 2006 Examiner Interview. The Examiner indicated that the amendments and arguments appear reasonable to overcome the cited references, but that further consideration would be necessary. Applicant respectfully requests that the Examiner withdraw the rejection of claim 3.

B. Claim 5

Since claim 5 is dependent upon claim 3, Applicant submits that claim 5 is patentable at least by virtue of its dependency.

II. Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 4, 6 and 11-16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morita in view of JP 11-265560 to Miyazaki et al. ("Miyazaki").

A. Claims 4 and 6

Applicant submits that claims 4 and 6 are patentable over the cited references. For example, claims 4 and 6 recite that an end part of the spring member impels the slide door at a fixed point through a hooking hole.

The Examiner refers to the Miyazaki reference as disclosing the claimed hooking hole (i.e., the slit 15). However, due to the elongated shape of the slit 15 of Miyazaki, an end part of the spring member 20 will move vertically along the slit 15, such that the slide door would be impelled at a “plurality” of points rather than at a “fixed” point, as recited in claims 4 and 6. Accordingly, Miyazaki fails to cure the deficient teachings of Morita in regard to claims 4 and 6.

The above feature was discussed during the February 7, 2006 Examiner Interview. The Examiner indicated that the amendment and arguments appeared reasonable to overcome the currently cited references. Accordingly, reconsideration and withdrawal of the rejection of claims 4 and 6 is respectfully requested.

B. Claims 11-16

Since claims 11-16 have been canceled, without prejudice or disclaimer, Applicant submits that the rejection of such claims is now moot.

III. Newly Added Claims

Applicant has added claims 17 and 18 to provide more varied protection for the present invention. Applicant submits that claim 17 is patentable for at least analogous reasons as claim 4, and claim 18 is patentable at least by virtue of its dependency upon claim 17.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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